



CPED STAFF REPORT

Prepared for the Heritage Preservation Commission

HPC Agenda Item #2

June 3, 2014

BZH-28147

HERITAGE PRESERVATION APPLICATION SUMMARY

Property Location: 131 Oak Grove Street
Project Name: Garage construction
Prepared By: [John Smoley](#), Ph.D., City Planner, (612) 673-2830
Applicant: Design for Preservation
Project Contact: Bob Roscoe, 612-317-0989
Ward: 7
Neighborhood: Loring Park
Request: To construct a detached garage
Required Applications:

Certificate of Appropriateness	To construct a detached garage.
Historic Variance	To install a detached garage over 12' in height without matching the primary exterior materials and roof pitch of the principal structure. To install a detached garage within 40' of the top of a steep slope in the SH/Shoreland Overlay District.

HISTORIC PROPERTY INFORMATION

Current Name	Mittlestadt residence
Historic Name	Henry E. Ladd house
Historic Address	131 Oak Grove Street
Original Construction Date	1889
Original Architect	Harry Wild Jones
Original Builder	W.D. Lewis
Original Engineer	n/a
Historic Use	Single-family Residence
Current Use	Single-family Residence
Proposed Use	Single-family Residence

Date Application Deemed Complete	May 9, 2014	Date Extension Letter Sent	n/a
End of 60-Day Decision Period	July 8, 2014	End of 120-Day Decision Period	September 6, 2014

CLASSIFICATION

Local Historic District	n/a
Period of Significance	1889-1904
Criteria of Significance	Significant persons, neighborhood identity, architecture, and master architect
Date of Local Designation	2011
Date of National Register Listing	n/a
Applicable Design Guidelines	Henry E. Ladd House Design Guidelines

SUMMARY

BACKGROUND. On April 1, 2011, the City Council designated the Henry E. Ladd House as an individually designated historic landmark. Constructed in 1889 by W.D. Lewis for Henry Ladd, the subject property is historically significant for its embodiment of Richardsonian Romanesque architecture, its association with master architect Harry Wild Jones, its association with prominent realtor Henry Ladd, and its representation of Loring Park's brief tenure as Minneapolis' home for upper class families. On November 19, 2013, the Heritage Preservation Commission granted a Historic Variance to use the property as a single family residence.

APPLICANT'S PROPOSAL. The property is zoned OR3/Institutional Office Residential District and is located in the DP/Downtown Parking Overlay District and the SH/Shoreland Overlay District. The owner of the property wishes to construct a 14.5' high detached garage with an 8/12 pitch without matching the primary exterior materials and roof pitch of the principal structure. The garage is proposed to lie at the rear of the lot, on a steep slope. The proposal requires two Historic Variances and a Certificate of Appropriateness.

Zoning Code section 537.50(c) stipulates that structures accessory to a structure originally designed or intended as a single-family dwelling, such as the subject property, shall not exceed the height of the principal structure or twelve (12) feet, whichever is less. The maximum height may be increased to sixteen (16) feet or the height of the principal structure, whichever is less, where the primary exterior materials of the accessory structure match the primary exterior materials of the principal structure and the roof pitch matches the primary roof pitch of the principal structure, and provided the wall height shall not exceed ten (10) feet from the floor to the top plate. Zoning Code section 551.470 requires a Variance for development on steep slopes in the SH/Shoreland Overlay District. Heritage Preservation Regulations section 599.320 requires a Certificate of Appropriateness approved by the Heritage Preservation Commission for any alteration of a landmark, such as constructing a detached garage on the subject property. Heritage Preservation Regulations section 599.490 provides the Heritage Preservation Commission with the authority to recommend departure from the literal requirements of any of the applicable zoning regulations through the Historic Variance application process. Since the project already required a public hearing before the Heritage Preservation Commission, the applicant applied for a Historic Variance, rather than a zoning Variance.

PUBLIC COMMENTS. Staff has received no comments on the proposal.

ANALYSIS

HISTORIC VARIANCE

Analysis: As conditioned, the proposed detached garage complies with the City of Minneapolis' Zoning Code and Heritage Preservation Regulations in all areas apart from the following two variance requests.

Findings as required by the Minneapolis Preservation Code:

Before recommending approval of a Historic Variance, Heritage Preservation Regulations section 599.520 requires the commission make findings that the variance is:

- a) Compatible with the preservation of the property and with other properties in the area, and;
- b) That the variance is necessary to alleviate undue hardship due to special conditions or circumstances unique to the property and not created by the applicant.

The Ladd House, constructed in 1889, was originally used as the single-family dwelling of Henry E. Ladd: a prominent realtor. The applicant wishes to return the building to its original use, which is highly compatible with the preservation of the property. Part of his plan is the construction of a detached garage at the rear of the lot. Construction of the detached garage will be compatible with the preservation of the property and with other properties in the area. Homes like this, including nearby landmarks, frequently had detached garages. The garage's detached character and construction on a portion of the lot covered by only asphalt and minor, nonhistoric landscaping will be very easy to reverse. The applicant has designed the garage to be compatible with the Kasota stone- and stucco-clad home without creating a false sense of history by using not only Kasota stone but also cedar lap siding and cement fiber Hardiepanel siding to clad the proposed garage and by utilizing a lower slope roof (8/12) on the garage than exists on the residence (14/12 at the front). Strictly following Zoning Code section 537.50(c) which requires matching primary exterior materials and roof pitch on accessory structures between 12 and 16 feet in height would create a garage so similar to the historic home that it would likely appear historic to passers-by, thereby creating a false sense of history. A 4.5' high Kasota stone wainscot capped by cedar lap siding with a 3.5" exposure is proposed to clad the garage's north and east elevations, ensuring the front of the garage (east side) and the street side/front of the lot (north side) would utilize materials available during the building's period of significance (1889-1904). Hardiepanel with 1"x2" vertical battens would clad the sides of the garage with very low visibility: the southern side, which faces a very high retaining wall, and the western side, which faces a high parking garage. Yet detached garages rarely used three different types of exterior materials, and cement fiber Hardie cornerboards are required on all sides of the garage to ensure a smooth transition between the wood lap siding and the flat fiber cement panels, whose battens will make them stand out as nonhistoric wall cladding. For these reasons, CPED recommends the project be conditioned to require narrow fiber cement lap siding be installed in lieu of the cedar lap siding and fiber cement Hardiepanel siding with battens.

Steel, roll-up garage doors with electrical motors are also proposed features that were not available during the period of significance. While their use could be considered to challenge the compatibility of the garage with the residence, their orientation toward the eastern, interior side of the lot and the limited visibility of the garage from the street (thanks to screening that onsite and adjacent residences provide the garage) makes their use acceptable.

The variance is necessary to alleviate undue hardship due to special conditions or circumstances unique to the property not created by the applicant. The Zoning Code requires that detached garages remain entirely to the rear of residences. At the rear of this lot a very high historic retaining wall stands on the property line. Although the garage will lie on what is nearly level ground, the dramatic change in grade at the wall meets the Zoning Code's definition of a steep slope, thus a variance is required. Furthermore, the subject property has been designated as a Landmark by the City of Minneapolis. Adopted design guidelines do not recommend new construction that appears so similar to the primary residence that it creates a false sense of history. Strictly following Zoning Code section 537.50(c), which requires the primary exterior materials and the roof pitch of accessory structures between 12 and 16 feet in height match those on the primary residence, would create a garage so similar to the historic home that it would likely appear historic to passers-by, thereby creating a false sense of history.

Findings as required by the Minneapolis Zoning Code:

Zoning Code section 551.470 requires a Variance for development on steep slopes in the SH Overlay District. Development authorized by variance shall be subject to the following:

1. Development must currently exist on the steep slope or within 40 feet of the top of a steep slope within 500 feet of the proposed development.

The existing single-family dwelling onsite, as well as the dwellings on adjacent lots, are located within 40 feet of the top of the steep slope that runs along the rear of all three properties.

2. The foundation and underlying material shall be adequate for the slope condition and soil type.

The project area is currently developed and the foundation and underlying material will be adequate for the slope condition and soil type. The proposed garage will be constructed on what is nearly level ground at the foot of the retaining wall. The retaining wall will continue to maintain the steep slope. After construction, the project area will be fully landscaped and paved to the standards depicted on the site plan, in a manner similar to the way the project area is landscaped and paved now.

3. The development shall present no danger of falling rock, mud, uprooted trees or other materials.

The project area is currently developed and the foundation and underlying material will be adequate for the slope condition and soil type. The proposed garage will be constructed on what is nearly level ground at the foot of the retaining wall. The retaining wall will continue to maintain the steep slope. After construction, the project area will be fully landscaped and paved to the standards depicted on the site plan, in a manner similar to the way the project area is landscaped and paved now.

4. The view of the developed slope from the protected water shall be consistent with the natural appearance of the slope, with any historic areas, and with the surrounding physical contexts.

Loring Pond, the protected water in question, is located approximately 1,000 feet northwesterly of the property. The project area is not visible from Loring Pond due to multi-story dwellings screening the project area.

CERTIFICATE OF APPROPRIATENESS

The Department of Community Planning and Economic Development has analyzed the application to construct a detached garage based on the following findings:

1. *The alteration is compatible with and continues to support the criteria of significance and period of significance for which the landmark or historic district was designated.*

Regardless of what changes are made to the subject property, it will maintain its historical significance, but proposed changes may affect its integrity (i.e. the property's ability to communicate its historical significance), as discussed in finding #3 below.

2. *The alteration is compatible with and supports the interior and/or exterior designation in which the property was designated.*

Both the interior and the exterior portions of the residence communicate the building's significance. The applicant has designed the garage to be compatible with the Kasota stone- and stucco-clad home without creating a false sense of history by using a mixture of Kasota stone (available during the period of significance) and fiber cement cladding (not available during the period of significance) and positioning the garage where it is minimally visible from the public right of way.

3. *The alteration is compatible with and will ensure continued integrity of the landmark or historic district for which the district was designated.*

The proposed work will not alter or block views of the historic residence.

4. *The alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the applicable design guidelines adopted by the commission.*

The Commission has adopted design guidelines for this landmark which requires that any garage or other construction be placed at the rear of the property to preserve public views (from the sidewalk) of at least a portion of the historic retaining wall. The proposal will leave several feet of the retaining wall exposed to such views on both sides of the garage.

5. *The alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the recommendations contained in The Secretary of the Interior's Standards for the Treatment of Historic Properties.*

The applicant is conducting a rehabilitation of the subject property, constructing a detached garage on the lot to aid in its conversion from an institutional use back to the building's original function as a single family dwelling.

The rehabilitation guidelines of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* do not recommend introducing new construction onto the building site which is visually incompatible in terms of size, scale, design, materials, color, and texture; which destroys historic relationships on the site; or which damages or destroys important landscape features. Construction of the detached garage will be very compatible with the preservation of the property and with other properties in the area. Homes like this, including nearby landmarks, frequently had detached garages. The garage's detached character and construction on a

portion of the lot covered by only asphalt and minor, nonhistoric landscaping will be very easy to reverse. The applicant has designed the garage to be compatible with the Kasota stone- and stucco-clad home without creating a false sense of history. A 4.5' high Kasota stone wainscot capped by cedar lap siding with a 3.5" exposure is proposed to clad the garage's north and east elevations, ensuring the front of the garage (east side) and the street side/front of the lot (north side) would utilize materials available during the building's period of significance (1889-1904). Hardiepanel with 1"x2" vertical battens would clad the sides of the garage with very low visibility: the southern side, which faces a very high retaining wall, and the western side, which faces a high parking garage. Yet detached garages rarely used three different types of exterior materials, and cement fiber Hardie cornerboards are required on all sides of the garage to ensure a smooth transition between the wood lap siding and the flat fiber cement panels, whose battens will make them stand out as nonhistoric wall cladding. For these reasons, CPED recommends the project be conditioned to require narrow fiber cement lap siding be installed in lieu of the cedar lap siding and fiber cement Hardiepanel siding with battens.

Steel, roll-up garage doors with electrical motors are proposed features that were not available during the period of significance. While their use could be considered to challenge the compatibility of the garage with the residence, their orientation toward the eastern, interior side of the lot and the limited visibility of the garage from the street (thanks to screening that onsite and adjacent residences provide the garage) makes their use acceptable.

6. *The certificate of appropriateness conforms to all applicable regulations of this preservation ordinance and is consistent with the applicable policies of the comprehensive plan and applicable preservation policies in small area plans adopted by the city council.*

Comprehensive plan policy 8.1 states that the City will, "Preserve, maintain, and designate landmarks, landmarks, and historic resources which serve as reminders of the city's architecture, history, and culture." As conditioned, the proposed work will help preserve and reuse one city landmark. Action 8.1.1 of the *Minneapolis Plan for Sustainable Growth* indicates that the City shall protect historic resources from modifications that are not sensitive to their historic significance. The project will not modify the historic residence or retaining wall, as discussed in finding # 5 above.

7. *Destruction of any property. Before approving a certificate of appropriateness that involves the destruction, in whole or in part, of any landmark, property in an historic district or nominated property under interim protection, the commission shall make findings that the destruction is necessary to correct an unsafe or dangerous condition on the property, or that there are no reasonable alternatives to the destruction. In determining whether reasonable alternatives exist, the commission shall consider, but not be limited to, the significance of the property, the integrity of the property and the economic value or usefulness of the existing structure, including its current use, costs of renovation and feasible alternative uses. The commission may delay a final decision for a reasonable period of time to allow parties interested in preserving the property a reasonable opportunity to act to protect it.*

The project does not involve the destruction of the property.

Before approving a Certificate of Appropriateness, and based upon the evidence presented in each application submitted, the Commission shall make findings that alterations are proposed in a manner that demonstrates that the Applicant has made adequate consideration of the following documents and regulations:

8. *The description and statement of significance in the original nomination upon which designation of the landmark or historic district was based.*

The applicant's proposal indicates a sound understanding of the property's significance.

9. *Where applicable, Adequate consideration of Title 20 of the Minneapolis Code of Ordinances, Zoning Code, Chapter 530, Site Plan Review.*

The proposal does not trigger Site Plan Review required by Zoning Code Chapter 530.

10. *The typology of treatments delineated in the Secretary of the Interior's Standards for the Treatment of Historic Properties and the associated guidelines for preserving, rehabilitating, reconstructing, and restoring historic buildings.*

As conditioned, the application complies with the rehabilitation guidelines of the Secretary of the Interior's Standards for the Treatment of Historic Properties as discussed in finding #5 above.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development for the Historic Variance:

The Department of Community Planning and Economic Development recommends that the Heritage Preservation Commission adopt staff findings and **approve** the Historic Variance to install a detached garage over 12' in height without matching the primary exterior materials and roof pitch of the principal structure at 131 Oak Grove Street, the Henry E. Ladd House, subject to the following conditions:

1. Narrow fiber cement lap siding shall be installed in lieu of the cedar lap siding and fiber cement Hardiepanel siding with battens.
2. By ordinance, approvals are valid for a period of two years from the date of the decision. Upon written request and for good cause, the planning director may grant up to a one year extension if the request is made in writing no later than June 3, 2016.

Recommendation of the Department of Community Planning and Economic Development for the Historic Variance:

The Department of Community Planning and Economic Development recommends that the Heritage Preservation Commission adopt staff findings and **approve** the Historic Variance to install a detached garage within 40' of the top of a steep slope in the SH/Shoreland Overlay District at 131 Oak Grove Street, the Henry E. Ladd House, subject to the following conditions:

1. By ordinance, approvals are valid for a period of two years from the date of the decision. Upon written request and for good cause, the planning director may grant up to a one year extension if the request is made in writing no later than June 3, 2016.

Recommendation of the Department of Community Planning and Economic Development for the Certificate of Appropriateness:

The Department of Community Planning and Economic Development recommends that the Heritage Preservation Commission adopt the findings above and **approve** the Certificate of Appropriateness to install a detached garage at 131 Oak Grove Street, the Henry E. Ladd House, subject to the following conditions:

1. Narrow fiber cement lap siding shall be installed in lieu of the cedar lap siding and fiber cement Hardiepanel siding with battens.
2. By ordinance, approvals are valid for a period of two years from the date of the decision unless required permits are obtained and the action approval is substantially begun and proceeds in a continuous basis toward completion. Upon written request and for good cause, the planning director may grant up to a one year extension if the request is made in writing no later than June 3, 2016.
3. By ordinance, all approvals granted in this Certificate of Appropriateness shall remain in effect as long as all of the conditions and guarantees of such approvals are observed. Failure to comply with such conditions and guarantees shall constitute a violation of this Certificate of Appropriateness and may result in termination of the approval.
4. CPED Staff shall review and approve the final plans and elevations prior to building permit issuance.

ATTACHMENTS

- A. Vicinity map
- B. Plans
- C. Photos
- D. Public Comment